

October 1, 2008

California Air Resources Board  
1001 "I" Street  
P.O. Box 2815  
Sacramento, CA 95812  
<http://www.arb.ca.gov/>

Re: RULEMAKING TO CONSIDER AMENDMENTS TO THE VERIFICATION  
PROCEDURE, WARRANTY AND IN-USE COMPLIANCE REQUIREMENTS FOR  
IN-USE STRATEGIES TO CONTROL EMISSIONS FROM DIESEL ENGINES  
(<http://www.arb.ca.gov/regact/2008/verdev2008/verdev2008.htm>)

Dear Board Members:

I am writing to provide new epidemiologic evidence and analysis that is relevant to CARB strategies to control emissions from diesel engines. These comments add to my April 22, 2008 comments on the CARB Goods Movement Emission Reduction Plan

([http://www.arb.ca.gov/lists/erplan08/2-carb\\_enstrom\\_comments\\_on\\_gmerp\\_042208.pdf](http://www.arb.ca.gov/lists/erplan08/2-carb_enstrom_comments_on_gmerp_042208.pdf)).

The five items below describe this epidemiologic evidence and they warrant your careful consideration.

- 1) May 27, 2008 Washington Times Commentary by Dr. Henry I. Miller, "Diesel Risks Mostly Hot Air?" (<http://www.washingtontimes.com/news/2008/may/27/diesel-risks-mostly-hot-air/>).
- 2) June 17, 2008 letter to Senator Don Perata by California professors James E. Enstrom, Matthew A. Malkan, Henry I. Miller, and Robert F. Phalen petitioning CARB to review its August 27, 1998 decision declaring diesel particulate matter to be a toxic air contaminant (<http://www.scientificintegrityinstitute.org/CARBPetition061708.pdf>). This letter describes specific additional scientific evidence regarding the health effects of diesel particulate matter that was not available as to 1998, as well as other evidence about CARB procedures used to make the 1998 decision, which support the need for a prompt review of this decision.
- 3) July 11, 2008 comments by Dr. James E. Enstrom describing new epidemiologic evidence relevant to May 22, 2008 CARB Draft Staff Report "Methodology for Estimating Premature Deaths Associated with Long-term Exposures to Fine Airborne Particulate Matter in California" (<http://www.scientificintegrityinstitute.org/PMDeathsEnstrom071108.pdf>).
- 4) August 12, 2008 *Environmental Health Perspectives* paper by Drs. Scott L. Zeger, Francesca Dominici, Aidan McDermott, and Jonathan M. Samet, "Mortality in the Medicare Population and Chronic Exposure to Fine Particulate Air Pollution in Urban Centers (2000-2005)" (<http://www.ehponline.org/members/2008/11449/11449.pdf>). Page 18 of this paper states: "A provocative finding is that the MCAPS data show no evidence of a positive association between zip-level PM<sub>2.5</sub> and mortality rates for the 640 urban zip counties in the West. This lack of

association is largely because the Los Angeles basin counties have higher PM2.5 levels than other West Coast urban centers but not higher adjusted mortality rates." The results for the West [California, Oregon, and Washington] are dominated by those for California, since 468 (73%) of the 640 zip codes for the West are in California. This paper is the published version of the January 2007 Johns Hopkins University Biostatistics Working Paper 133 (<http://www.bepress.com/jhubiostat/paper133/>), which has similar findings based on 2000-2002 Medicare Cohort Air Pollution Study (MCAPS) data.

5) U.S. Centers for Disease Control (CDC) WONDER for U.S. mortality during 1999-2005 (<http://wonder.cdc.gov/cmfi-icd10.html>). This interactive national mortality data base shows that, compared with the 1999-2005 United States total age-adjusted death rate, the California rate is 9% lower and the Los Angeles County rate is 11% lower. These results are consistent with the finding in the 2008 *EHP* paper that total death rates are not higher in the Los Angeles basin. In addition, the relatively low total death rate for California does not support the notion that diesel particulate matter causes premature deaths in California.

Thank you very much for your consideration of these five items, all of which are highly relevant to CARB strategies to control emissions from diesel engines.

Sincerely yours,

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